

### **REMARKS**

Claims 1 – 19 were pending in this application.

Claims 1 – 19 were rejected

Claims 1-7, and 11-18 were cancelled.

Claims 8, 9, 10 and 19 are amended.

New Claims 20-25 have been added.

### **L.35 USC 102(b) And 103 Rejections**

**The Examiner has rejected Claims 1-2, 5 and 11 under 35 USC 102(b) as being unpatentable over U.S. Patent No. 856,820 to Stimpson.**

**The Examiner has rejected Claims 3-4, 6-10 and 12-16 under 35 USC 103(a) as being unpatentable over Stimpson in view of U.S. Patent No. 3,792,511 to Evans, U.S. Patent No. 4,203,227 to Giroux and U.S. Patent No. D333,991 to Lee.**

**The Examiner has rejected Claims 17-18 under 35 USC103(a) as being unpatentable over Stimpson in view of Giroux.**

**The Examiner has rejected Claim 19 under 35 USC 103(a) as being unpatentable over Stimpson and Giroux in further view of Lee.**

The present application was filed with three independent claims, which were Claim 1, Claim 11 and Claim 17. All of the original independent claims were cancelled. The Examiner's rejections to those claims have therefore become moot.

The Applicant has added new claims. The new claims include two independent claims, which are Claim 20 and Claim 23. Claim 20 and Claim 23 are distinguishable over the cited prior art

reference for the reasons provided below.

**Claim 20.**

Claim 20 sets forth a square that is selectively configurable between a folded condition and an open condition. The claimed square has a long arm that is divided into a first section and a second section. The first section and the second section are joined together at a first hinge. The first hinge enables the first section and the second section to fold between a linearly aligned configuration, when the square is in its open condition, and a stacked configuration, when the square is in its folded condition.

A first magnet is provided on the first section of the long arm. A second magnet is provided on the second section of the long arm. The first magnet and the second magnet interact and hold the first section and the second section in a linearly aligned configuration when the square is in its open condition.

A straight short arm is connected to the first section of the long arm with a second hinge. The second hinge enables said first section of the long arm to fold between a perpendicular configuration and a parallel configuration.

A third magnet is provided on the short arm. The third magnet interacts with the first magnet on the first section of the long arm and retains the first section in its parallel configuration when said square is in its folded condition.

It will therefore be understood that the first magnet on the first section of the long arm serves two purposes. When the square is in its open position, the first magnet interacts with a magnet on the second section of the long arm, thereby holding the long arm open and straight. When the square is moved to its folding position, that same first magnet interacts with a magnet of the short arm to hold the folded long arm against the short arm in a parallel stacked configuration.

This structure is not shown or suggested by any of the cited prior art references.

**The Stimpson patent** discloses a folding square. However, the Stimpson patent does not

address the multiple sections of the long arm of the square, or the positioning of magnets that holds the square both open and closed.

**The Evans patent** discloses a segmented document clamp that is held together with magnets. The Evans patent, however, only uses magnets to hold the document clamp closed. The magnets do nothing to support the structure of the device when it is unfolded into an open condition.

**The Giroux patent** discloses a straight edge that folds at a hinge. It lacks any disclosure of the magnetic closures being claimed.

Lastly, **the Lee patent** is cited to show a folding ruler with leveling bubbles. The Lee patent is irrelevant to the independent claims. The Lee patent fails to disclose any of the structure set forth in Claim 20.

From the above, it is hoped that the Examiner will recognize the differences between the structure of the square set forth in Claim 20 and the cited prior art.

### **Claim 23**

Claim 23 sets forth a claim very similar to that of Claim 20. Except in Claim 23, magnets are not specifically claimed. Rather, generic connectors are claimed that serve the same purpose as the magnets set forth in Claim 20.

The cited art does not disclose the magnet configuration used in Claim 20. The prior art also fails to disclose any type of connectors that serve the same purpose as those magnets. The matter of Claim 23 is therefore believed to be distinguished over the cited prior art references for much of the same reasons as were presented for Claim 20.

## **II. SUMMARY**

Having fully distinguished the pending claims over the cited art, this application is believed to stand in condition for allowance. However, if the Examiner is of the opinion that such action cannot be taken, the Examiner is requested to call the applicant's attorney at (215)

321-6772 in order that any outstanding issues may be resolved without the necessity of issuing a further Office Action.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Eric A. LaMorte', written over a horizontal line.

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